

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

THE POST CONFIRMATION TRUST)
FOR FLEMING COMPANIES, INC.,)
Plaintiff,)
v.) No. 3:05-CV-287
SMITH & WOODS MANAGEMENT)
CORPORATION and JIMMY LEE WOODS,)
Defendants.)

ORDER

The parties in this matter have represented to the Court that settlement other than adjudication is imminent. At this time, the Court is awaiting a stipulation and proposed order of compromise and dismissal. Accordingly, the Court finds that this case should be **ADMINISTRATIVELY CLOSED** for statistical purposes. **This does not represent a final adjudication but is an administrative convenience for the Court.** Nothing contained in this order shall be considered a dismissal or disposition of this matter, and should further proceedings in it become necessary or desirable, the parties may initiate such in the same manner as if this order had not been entered. Accordingly, the trial scheduled to begin on September 21, 2006, as well as the final pretrial conference scheduled for September 14, 2006 are cancelled.

ENTER:

s/ Thomas W. Phillips

United States District Judge